

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

John W. Scott,)	CASE NO. 1:03-cv-102
)	
Petitioner,)	JUDGE PATRICIA A. GAUGHAN
)	
Vs.)	
)	
Gordon Lane, Warden)	<u>Judgment Entry</u>
)	
Respondent.)	

This Court, having issued its Memorandum of Opinion and Order (Doc. 21) adopting in part the Report and Recommendation of Magistrate Judge Gallas (Doc. 18) and dismissing Petitioner's petition as untimely, hereby denies the Petition for Writ of Habeas Corpus. Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

/s/ Patricia A. Gaughan

PATRICIA A. GAUGHAN
United States District Judge

Dated: 3/29/06